



City of Albuquerque

Legislative File Number R-06-53 (version 2)

CITY of ALBUQUERQUE SEVENTEENTH COUNCIL

**Requiring a Sector Plan for an Area Delineated in Exhibit A of this Resolution;
Declaring a Moratorium on the Approval of Any Conditional Uses That Would Allow
Dwelling Units in Commercial Zones Pending the Creation of Interim Development
Regulations; Requiring the City to Promulgate Interim Development Regulations
and Appropriating Funds to Carry Out These Activities (Heinrich)**

CITY of ALBUQUERQUE SEVENTEENTH COUNCIL

**REQUIRING A SECTOR PLAN FOR AN AREA DELINEATED IN EXHIBIT A OF
THIS RESOLUTION; DECLARING A MORATORIUM ON THE APPROVAL OF
ANY CONDITIONAL USES THAT WOULD ALLOW DWELLING UNITS IN
COMMERCIAL ZONES PENDING THE CREATION OF INTERIM DEVELOPMENT
REGULATIONS; REQUIRING THE CITY TO PROMULGATE INTERIM
DEVELOPMENT REGULATIONS AND APPROPRIATING FUNDS TO CARRY
OUT THESE ACTIVITIES.**

**WHEREAS, the City has funding available for the creation of a sector plan
for the area around south University and Gibson as more specifically shown on
Exhibit “A” attached hereto; and**

**WHEREAS, the City should work closely with the residents of the Victory
Hills and Clayton Heights neighborhoods to develop a sector plan that serves
the needs of those neighborhoods; and**

**WHEREAS, certain actions with respect to development between now and
the time the City has taken action to address the issues raised in the planning
process may be contrary to the policies adopted in a sector plan for the area**

under consideration and may adversely affect or negate the planning process;
and

WHEREAS, the City should declare a moratorium on the issuance of conditional uses which would allow dwelling units to be constructed within commercial zones in the area for which a sector plan will be developed; and

WHEREAS, the intended purpose of this moratorium is to allow the City to advance the health, safety and welfare of the public and to further goals and policies adopted by the Council; and

WHEREAS, the City should immediately begin preparing interim regulations which, in part, will define those situations under which conditional uses should be granted in the area to allow dwelling units within commercial zones pending the completion of a sector plan.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. The City shall develop a Sector Development Plan in the area around south University and Gibson as more specifically shown on Exhibit “A” attached hereto. These plans shall be underway within three months after the enactment of this legislation.

Section 2. The City shall, as soon as funding is made available, prepare interim regulations to govern development within the defined area which, in part, will define those situations under which conditional uses should be granted in the area to allow dwelling units within commercial zones.

Section 3. Pending completion of the interim regulations there shall be no approval of any conditional use to allow the construction of dwelling units within a commercial zone. This prohibition on the approval of these conditional uses shall terminate upon acceptance and approval of the interim regulations by the City Council which interim regulations shall thereafter govern such approvals.

Section 4. That funds in the amount of \$200,000 are hereby appropriated for the purpose of conducting the work listed in this resolution, \$150,000 from

funds designated and provided by the State of New Mexico for this project and \$50,000 already designated from set aside funds. Any contract entered into for the performance of services in furtherance of the work listed in this resolution shall be managed by the Planning Department and coordinated with the Office of Council Services. Throughout the development of the Plan, the Administration shall seek advice and consultation of the City Councillors from Albuquerque City Council Districts 3 and 6 and shall provide monthly status reports to those Councillors on the status of the Plan.

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